SUPREME COURT MINUTES THURSDAY, MARCH 13, 2003 SAN FRANCISCO, CALIFORNIA

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 13, 2003, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Deputy Clerk.

S098409 Cimmaron Olszewski, Plaintiff and Appellant

V.

Scripps Health et al., Defendants and Respondents

Cause called. Deborah Giles opened argument for Respondent Scripps Health.

Barry Landsberg, appearing for Amicus Curiae Catholic Healthcare West, continued argument for Respondent Scripps Health.

Kim E. Card opened argument for Appellant.

Mark A. Chavez continued argument for Appellant.

Ms. Giles replied.

Cause submitted.

S103681 James Peracchi, Petitioner

V.

The Superior Court of Fresno County, Respondent

The People, Real Party in Interest

To be called and continued to the April 1st calendar.

S101183 The People, Plaintiff and Respondent

V.

Tracy L. Batts et al., Defendants and Appellants

Cause called. David A. Wildman, Deputy Attorney General, argued for Respondent.

Chris Richard Redburn argued for Appellant Batts.

Barbara Smith argued for Appellant McCrea.

Mr. Wildman replied.

Cause submitted.

S100359 Robert Anthony L., Petitioner

V.

Orange County Superior Court, Respondent

The People, Real Party in Interest

Cause called. Kevin J. Phillips argued for Petitioner.

Brian N. Gurwitz, Deputy District Attorney Orange County, argued for Real Party in Interest.

Mr. Phillips replied.

Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

S004703 The People, Respondent

V.

Michael Anthony Cox, Appellant

S004507 In re Michael Anthony Cox on Habeas Corpus

Cause called. Barry P. Helft, Assistant State Public Defender, opened argument for Appellant and Petitioner.

Mary McComb, Deputy State Public Defender, continued argument for Appellant and Petitioner.

R. Todd Marshall, Deputy Attorney General, argued for Respondent.

Mr. Helft replied.

Ms. McComb replied.

Cause submitted.

Court adjourned.

S098895

B142962 Second Appellate District,

Division One

COLMENARES v. BRAEMAR COUNTRY CLUB

Time extended to consider modification or rehearing

To April 18, 2003.

S113123

B164123 Second Appellate District,

Division Seven

KAJIMA CORPORATION v. S.C. (LOS ANGELES

Time extended to grant or deny review

to and including 4/24/2003

S113125

A100877 First Appellate District,

Division One

TOWN OF HILLSBOROUGH v. W.C.A.B. (SOMMER)

Time extended to grant or deny review

To April 24, 2002.

S026408

PEOPLE v. LYNCH (FRANKLIN)

Extension of time granted

to 5/13/2003 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate cousnel of record, of this schedule, and

to take all steps necessary to meet it.

S042323 PEOPLE v. BURNEY (SHAUN K.)

Extension of time granted

to 5/20/2003 to file respondent's brief.

S107491 TORRES (DANNY) ON H.C.

Extension of time granted

to 4/12/03 for resp to file the informal

response.

S110683

A094946 First Appellate District,

Division Five

BLACK (CHARLES ALEX) ON H.C.

Extension of time granted

On application of counsel for Petitioner Black, and good cause appearing, it is hereby ordered that the time to serve and file Petitioner's Answer Brief on the Merits to and including

4/15/2003.

S111028

B145982 Second Appellate District,

Division One

B154520

PEOPLE v. WILKINSON

Extension of time granted

to 4/11/03 for aplt to file the answer brief on

the merits.

S111309

E029720 Fourth Appellate District,

Division Two

PEOPLE v. BETTS

Extension of time granted

to 4/8/03 for aplt to file the opening brief on

the merits.

S111494

D037680 Fourth Appellate District,

Division One

PEOPLE v. KONOW

Extension of time granted

To April 7, 2003 to file Respondent's Amy Toosley Opening Brief on the Mertis.

S111494

D037680 Fourth Appellate District,

Division One

PEOPLE v. KONOW

Extension of time granted

To April 9, 2003 to file Respondent's

(Carolyn Know) Opening Brief on the Merits.

S111494

D037680 Fourth Appellate District,

Division One

PEOPLE v. KONOW

Extension of time granted

To April 7, 2003 to file Respondent's Steven

Rohrer Opening Brief on the Merits.

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S112624

B143162 Second Appellate District, Division Five LEWIS JORGE CONSTRUCTION v. POMONA UNIFIED Extension of time granted

To April 21, 2003 to file Respondents' Opening Brief on the Merits.

SUPREME COURT CALENDAR LOS ANGELES SESSION APRIL 1 and 2, 2003 (FIRST AMENDED)

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on April 1 and 2, 2003.

TUESDAY, APRIL 1, 2003 - 9:00 A.M.

S108099	White v. Davis				
S108751	Winter v. DC Comics				
S097600	People v. Johnson				
	<u>2:00 P.M.</u>				
S103681	Peracchi v. Superior Court, County of Fresno; People (Baxter, J., not participating, Perluss, J., assigned Justice Pro Tempore.)				
S024599	People v. Michael Lamont Jones (Automatic Appeal)				
S015381	People v. Tracey Lavell Carter (Automatic Appeal)				
	WEDNESDAY, APRIL 2, 2003 - 9:00 A.M.				
S103781	Intel Corporation v. Hamidi				
	(Baxter and Chin, JJ., not participating, Perren and Mosk, JJ., assigned				
	Justices Pro Tempore.)				
S101964	Viner v. Sweet				
	(Chin, J., not participating, Raye, J., assigned Justice Pro Tempore.)				
S108308	Rosen v. State Farm General Insurance				
S104157	Hameid v. National Fire Insurance – (To be called and continued to May				
	calendar.)				
	<u>1:30 P.M.</u>				
S100557	State Department of Rehabilitation v. W.C.A.B.; Lauher				
S018292	People v. Evan T. Nakahara (Automatic Appeal)				
	_GEORGE				

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.